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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/334,327	06/16/1999	ALAN PERKINS		5211

7590 02/04/2002  
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NEW YORK, NY 10017

EXAMINER

PARDO, THUY N

ART UNIT PAPER NUMBER

217 2175

DATE MAILED: 02/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/334,327

Applicant(s)

PERKINS, ALAN

Examiner

Thuy Pando  
Wayne Amsbury

Art Unit

2174-2075

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-36 is/are allowed.
- 6) ☒ Claim(s) 37 and 38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

CLAIMS 1-38 ARE PENDING

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 37-38 were allowed in paper #6, but on further consideration, they are rejected as follows:
3. Claims 37-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Chidlovskii et al (Chidlovskii), USPAT 6,237,590, System and Method for Collaborative Ranking etc,

As to claim 37, Chidlovskii teaches the elements of the claims as follows:

*creating and modifying a user profile record* [COL 3, line 28; line 36].

*recording user searches* [COL 1 lines 34-37]

*recording user ratings of search results* [COL 3 lines 34-38; COL 9 lines 52-58;  
COL 8 lines 52-60]

*identifying relevant elements of said user profile record with respect to said user searches [COL 9 lines 55-58]*

*calculating relevancy coefficients based on said recorded user ratings and said user profile record [COL 9 lines 59-60; lines 52-60]*

*grouping said search results [COL 9 lines 40-47; COL 10 lines 1-18]*

*recalculating of said relevancy coefficients based on said grouping of said results [COL 10 lines 1-4; COL 8 lines 52-60]*

The elements of claim 38 are rejected in the analysis above and this claim is rejected on that basis.

4. The following is an examiner's statement of reasons for allowance of claims 1-36:

The prior art of record fails to teach or suggest individually or in combination a **method for refining the calculation of relevance of a resource on an Internet, based on a query for relevant resource comprising the steps of terminating display of the results to the user; upon said termination of said display of results, subsequently providing to the user a questionnaire with at least one script using at least one form requesting active user feedback input from the user, and then calculating the relevancy of a resource based on a particular query as set forth in**

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claims 1 and 19, the features of **providing, to a user a means for creating multiple profiles consisting of various demographic and psychographic data, the user is any one of the multiple users; creating, by the user, said multiple profiles; selecting one profile from said multiple profiles; and selecting one profile prior to submitting the particular query as set forth in claims 4 and 22, and the features of formulating through the use of the search engine calculated relevancy, a query result list of proposed resources to visit in response to the particular query, gathering a set of evaluations from each of the multiple users who have rated said visited resources comprising the steps of providing a first web form on the search engine home page, providing a second web form on the search engine results page, and transmitting to said search engine said gathered evaluations as set forth in claims 18 and 36.**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy Pardo whose telephone number is 703-305-1091. The examiner can normally be reached on M-TH 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached on 703-305-3830. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9700.

WPA  
January 25, 2002

  
WAYNE AMSBURY  
PRIMARY PATENT EXAMINER